IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

Con.Case(C).No. 902 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.29529/2003 Dated 20/10/2003

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PETITIONER/PETITIONERS:

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1. N.C. JOY, S/O. N.U.CHACKO,
   NADUVILAPARAMBIL HOUSE, ANGAMALI SOUTH P.O.,
   PIN-683573, RETD. ENGINEER, TELK, ANGAMALI.

2. R. BHARGAVAN, S/O. VELUTHAKUNJU,
   AISWARYA H., NEAR J.B.G., ANGAMALI P.O.,
   PIN-683 572, RETD. FOREMAN, TELK, ANGAMALI.

3. K.M. JOSE, S/O. K.C.MATHEW,
   KUDIYIRIPPIL HOUSE, MATTOOR, KALADY P.O.,
   RETD. CHARGEMAN, TELK, ANGAMALY.

4. C.S. RAVINDRAN, S/O. SANKARAN,
   CHALAKKAL HOUSE, KANJOOR P.O.-683 575,
   RED. CHARGEMAN, TELK, ANGAMALY.

5. P.K. SATHEESAN, S/O.P.K.KRISHNAN KUTTY,
   KUTTATH HOUSE, EROOR P.O., TRIPUNITHURA,
   PIN-682 306, RETD. CHARGEMAN, TELK, ANGAMALY.

6. T.A. RAPPAI, S/O. T.V.ANTHAPPAI,
   THAZHATHU HOUSE, EAST ANGADI, ANGAMALI P.O.-683572
   RETD. CHARGEMAN, TELK, ANGAMALY.

7. V.K. NARAYANAN, S/O.P.R.KRIHNAN NAIR,
   MADATHIPARAMBIL HOUSE, THAIKKATTUKARA P.O.,
   ALUVA-6, RETD. ASST.MANAGER, TELK, ANGAMALY.

BY ADV. SRI.P.SANTHALINGAM
SRI.S.SHARAN

RESPONDENT/ RESPONDENT:

MR.P.T.NANDAKUMAR, AGED 54 YEARS,
S/O. NOT KNOWN TO THE PETITIONERS, CHAIRMAN/
MANAGING DIRECTOR, TRANSFORMER AND
ELECTRICALS KERALA LTD., ANGAMALY.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.)
SRI.SAJI VARGHESE

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

CONTEMPT CASE (C)No. 902 of 2007

Dated this the 11th day of July, 2007

J U D G M E N T

The petitioners are the retired employees of the Transformers and Electricals Kerala Ltd., Angamaly. Two persons similarly placed like the petitioners approached this court by filing O.P.3687/2001 claiming arrears of salary arising out of revision of salary with retrospective effect from 1.9.1996. They retired from service after the said revision. Their claim for arrears of salary from 1.9.1996 to 31.12.1997 was conceded by the Company and writ petition was disposed of directing them to pay the entire arrears of salary as and when funds are available. Claiming similar reliefs, petitioners herein approached this court. The said W.P.(C) No. 29529 /2003 was disposed of by judgment dated 20.10.2003, directing to extend the same treatment meted out to the petitioners in O.P.3687/2001 to the petitioners herein also. Alleging that the said direction has not been obeyed, this Contempt Case is filed. The respondent has filed a statement stating that the arrears of salary payable to the petitioners under the judgment have already been released. The

Petitioners submit some D.A arrears in relation to subsequent periods are not disbursed. The said claim is not covered by the above-mentioned judgment. So, for non-payment of the same contempt proceedings cannot be initiated against the respondents. Accordingly, this Contempt Case is closed without prejudice to the rights of the petitioners to claim the D.A. arrears, if any, payable to them.

(K.BALAKRISHNAN NAIR,JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007